

James O. Lattuner
EDELMAN COMBS LATTURNER & GOODWIN, LLC
120 S. Lasalle Street, Suite 1800
Chicago, Illinois 60603
Telephone: (312) 739-4200
Email: jlattuner@edcombs.com
Attorneys for Plaintiff David Scardina

Douglas J. Campion (SBN 75381)
THE LAW OFFICES OF DOUGLAS J. CAMPION
409 Camino Del Rio South, Suite 303
San Diego, CA 92108-3507
Telephone: (619) 200-2091
Email: doug@djcampion.com
Attorney for Plaintiff Christopher Robinson

Joseph Darrell Palmer (SBN 125147)
LAW OFFICES OF DARRELL PALMER PC
603 North Highway 101, Ste A
Solana Beach, California 92075
Telephone: (858) 792-5600
Email: darrell.palmer@palmerlegalteam.com
Attorney for Plaintiff Eduardo Tovar

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

IN RE: MIDLAND CREDIT MANAGEMENT,)	Case No. 11-md-2286-MMA (MDD)
INC., TELEPHONE CONSUMER)	Member cases: 10-cv-02261
)	10-cv-02600
PROTECTION ACT LITIGATION)	10-cv-02368
)	10-cv-02370
)	
)	REVISED JOINT DISCOVERY PLAN
)	
)	

1 Pursuant to the Court's order of July 30, 2012 and in preparation for the September 7, 2012
2 teleconference, the parties submit the following Revised Joint Discovery Plan:

3 **1. Scheduling a Hearing on Motions to Remand:** The parties do not anticipate any motions
4 to remand the TCPA claims. Plaintiff Martin has asserted an individual FDCPA claim. If
5 the parties are unable to resolve this claim, Plaintiff Martin may seek to remand that claim.
6 The parties request that Plaintiff Martin have until September 26, 2012 to file a motion to
7 remand with respect to his individual FDCPA claim.
8

9 **2. Filing of Consolidated Amended Complaint:** Plaintiffs filed a Consolidated Complaint on
10 July 11, 2012.
11

12 **3. Defendants' Answer:** Defendants filed their Answer and Affirmative Defenses to the
13 Consolidated Complaint on August 17, 2012.
14

15 **4. Discovery Deadlines:** The parties propose the following schedule:

16 **a. Close of discovery (excluding expert discovery):** The parties propose that fact
17 discovery relating to class certification be completed by March 1, 2013. The parties
18 agree that fact discovery on the merits may take place during this time period as well,
19 both as to the named plaintiffs' individual claims and issues that are common to the
20 putative class. However, discovery as to the merits of the specific claims and
21 affirmative defenses pertaining to individual absent class members shall be deferred
22 and shall commence only in the event that a class is certified.
23

24 **b. Expert Discovery:** The parties propose that expert discovery be deferred until the
25 Court rules on Class Certification.
26

27 **c. Class Certification:** Plaintiffs propose to file a Motion for Class Certification by
28 March 31, 2013.

d. Further Case Management Conference: The parties agree that the appropriate scheduling of matters that may follow the Court's ruling on class certification is contingent on factors including whether a class is certified and, if so, the time frame in which the class can be identified and notice provided. Accordingly, the parties propose that, after ruling on Plaintiffs' Motion for Class Certification, the Court set a further Case Management Conference to address scheduling for any further discovery, including expert discovery, briefing on summary judgment, and pretrial matters.

Date: August 31, 2012

Respectfully Submitted,

s/James O. Lattuner
 James O. Lattuner
 EDELMAN COMBS LATTURNER
 & GOODWIN, LLC
 120 S. Lasalle Street, Suite 1800
 Chicago, Illinois 60603
 Email: jlattuner@edcombs.com
 Email: courtecl@edcombs.com

s/ Amy M. Gallegos
 Jenner & Block LLP
 633 West 5th Street, Suite 3600
 Los Angeles, CA 90071
 Email: agallegos@jenner.com
*Counsel for Defendant: Midland Credit
 Management*
 S.D. California, No. 3:10-cv-02600
*Counsel for Defendant: Midland
 Funding, LLC*
 S.D. California, No. 3:10-cv- 02261

CERTIFICATE OF SERVICE

I, James O. Lattuner, hereby certify that a copy of the foregoing **JOINT REPORT OF PARTIES' PLANNING MEETING [F.R.C.P. 26(f)]** and this Certificate of Service was filed via CM/ECF on August 31, 2012, which sent notice by email to the following:

Joseph Darrell Palmer

Law Office of Darrell Palmer
603 North Highway 101, Suite A
Solano Beach, CA 92075
Email: danell.palmer@cox.net
(darrell.palmer@palmerlegalteam.com)
Counsel for Plaintiff: Eduardo Tovar
S.D. California, No. 3:10-cv-02600

Joshua Swigart

Hyde and Swigart
411 Camino Del Rio South, Suite 301
San Diego, CA 92108
Email: josh@westcoastlitigation.com
Counsel for Plaintiff: Christopher Robinson
S.D. California, No. 3:10-cv- 02261

Abbas Kazerounian

Kazerounian Law Group
2700 North Main Street, Suite 1050
Santa Ana, CA 92866
Email: ak@kazlg.com
Counsel for Plaintiff: Christopher Robinson
S.D. California, No. 3:10-cv- 02261

Douglas J. Campion

Law Offices of Douglas J. Campion
409 Camino Del Rio South, Suite 303
San Diego, CA 92108-3507
Email: doug@djcampion.com
Counsel for Plaintiff: Christopher Robinson
S.D. California, No. 3:10-cv- 02261

Alexander Holmes Burke

Burke Law Offices, LLC
155 N. Michigan Ave., Suite 9020
Chicago, IL 60601
E-mail: aburke@burkelawllc.com
Counsel for Plaintiff: Nicholas Martin
N.D. Illinois, No. 1:11-cv-03104

Curtis C. Warner

Warner Law Firm, LLC
Millennium Park Plaza
155 N. Michigan Avenue, Suite 560
Chicago, IL 60601
Email: cwarner@warnerlawllc.com
Counsel for Plaintiff Dave Scardina
N.D. Illinois, No. 1:11-cv-03149

Amy M. Gallegos

Jenner & Block LLP
633 West 5th Street, Suite 3600
Los Angeles, CA 90071
Email: agallegos@jenner.com
S.D. California, No. 3:10-cv-02600
Counsel for Defendant: Midland Funding, LLC
S.D. California, No. 3:10-cv- 02261

Brett J. Natarelli

Dykema Gossett PLLC
10 South Wacker Drive, Suite 2300
Chicago, IL 60606
Email: bnatarelli@dykema.com
Counsel for Defendant Midland Credit Management, Inc., Midland Funding LLC, and Encore Capital Group, Inc.
N.D. Illinois, No. 1:11-cv-03149

Theodore Wilson Seitz

Dykema Gossett, PLLC
124 West Allegan, Suite 800

Lansing, MI 48933

Email: tseitz@dykema.com

Counsel for Defendant Midland Funding, LLC

N.D. Illinois, No. 1:11-cv-03104

*Counsel for Defendant Midland Credit
Management, Inc.*

N.D. Illinois, No. 1:11-cv-03149

Renee Lynn Zipprich

James Michael Golden

Dykema Gossett PLLC

10 South Wacker Drive, Suite 2300

Chicago, IL 60606

Email: rzipprich@dykema.com

Email: jgolden@dykema.com

*Counsel for Defendant Midland
Funding, LLC*

N.D. Illinois, No. 1:11-cv-03104

*Counsel for Defendant Midland Credit
Management, Inc., Midland Funding
LLC, and Encore Capital Group, Inc.*

N.D. Illinois, No. 1:11-cv-03149

s/ James O. Latturner

James O. Latturner